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In re Application of
Patel, et al.
Application No.: 10/501,653
Filed: July 15, 2004
Attorney Docket No.: AMAGN,.0102 US
For: WIRELESS DISTRIBUTION &
COLLECTION SYSTEM

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 15, 2009, to revive the above-identified application.

The petition is **granted**.

The two-month period for filing an appeal brief under 37 CFR 41.37 (accompanied by the fee required by 37 CFR 41.20(b)(2)), runs from the date of this decision.


This application became abandoned for failure to timely file a proper reply within the meaning of 37 CFR 1.113 to the final Office action of August 18, 2008. An amendment, filed October 20, 2008, failed to place this application in *prima facie* condition for allowance, as was explained in the November 3, 2008 Advisory action. No extensions of time were obtained pursuant to 37 CFR 1.136(a). Therefore, this application became abandoned on November 19, 2008. A Notice of Abandonment was mailed on March 31, 2009.

The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2)), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination (RCE) and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2).

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Notice of Appeal and required \$270.00 fee; (2) the petition fee of \$810.00; and (3) a proper statement of unintentional delay.

After the mailing of this decision, the file will be forwarded to Technology Center AU 2457 to await receipt of the appeal brief.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.


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Office of Petitions